

### REMARKS/ARGUMENTS

The claims are 1-6. Claims 1-6 have been amended to better define the invention. The specification has been amended to add a paragraph inadvertently omitted from the English translation of the International application. Reconsideration is expressly requested.

The drawings were objected to as failing to comply with 37 CFR 1.84(p)(4) because FIGS. 1 and 2 included the identifier 7 which was not mentioned in the specification. In response, Applicants have amended the specification to identify reference numeral 7 as an aluminum chlorate strip as indicated in the International application, which was inadvertently omitted in the English translation of the International application. It is respectfully submitted that the foregoing amendment overcomes the Examiner's objection to the drawings under 37 CFR 1.84(p)(4), and Applicants respectfully request that the objections to the drawings be withdrawn.

The specification was objected to as using the term "welding" which the Examiner believed was incorrect. Applicants respectfully traverse. For clarification purposes, Applicants have amended the term "film" to -- sheet -- in the claims as a

more appropriate translation of the German word "Folie" in the context of this application. For example, U.S. Patent No. 2,818,572 to *Oliver* is described on page 1 of the specification as including a self adhesive "film" which *Oliver* describes in her patent as a backing "sheet." Applicants' drawings and the use of the term "welded" in the specification, which the Examiner has recognized is used with plastic materials further supports this clarification. Accordingly, it is respectfully submitted that the term "welding" as used in the specification is correct as Applicants' self-adhesive film or sheet may be welded together with the pad as recited for example in claim 6.

Claim 5 was objected to as using the term "trapezoid" instead of -- substantially trapezoidal -- which the Examiner believed to be more appropriate, and claim 6 was objected to as using the term "welding" instead of the term -- bonding -- which the Examiner believed was a more appropriate term.

In response, Applicants have amended claim 5 to recite a substantially trapezoidal configuration as requested by the Examiner but traverses the Examiner's objection with respect to claim 6 as it is believed that the term "welded" is correct in the context of this application for the reasons discussed previously.

Claims 1 and 5 were rejected under 35 U.S.C. 102(b) as being anticipated by *Oliver U.S. Patent No. 2,818,572*. Claims 1, 3 and 6 were rejected under 35 U.S.C. 102(b) as being anticipated by *Vandekerck U.S. Patent No. 2,669,720*. Claim 2 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Oliver* in view of *Bradley U.S. Patent No. 3,345,643*. Claim 4 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Vandekerck* in view of *Morris U.S. Patent No. 3,346,878*.

Essentially the Examiner's position is that each of *Oliver* and *Vandekerck* show the perspiration pad recited in the claims, except for at least one curved bending line being provided in the bending region of the pad, which is said to be shown by *Bradley*, and except for the pad being covered in a liquid-tight but gas-permeable way on the side averted from the skin both between the boundary strips and the self-adhesive film as well as in the bending region, which is said to be shown by *Morris*.

This rejection is respectfully traversed.

As set forth in claim 1 as amended, Applicants' invention provides a perspiration pad for insertion into an armpit of a user. The absorbent pad includes two mutually bendable sections and a self-adhesive sheet bonded to the sections, projecting beyond an edge of the pad, and interrupted at least in a bending region of the two sections of the pad. In this way, Applicants' invention provides a perspiration pad in which no tensions occur in the skin when wearing the perspiration pad and complete application of the perspiration pad on the skin is ensured.

None of the cited references discloses or suggests a perspiration pad having the structure recited in claim 1 as amended or teaches the benefits of interrupting a self-adhesive sheet bonded to two mutually bendable sections of the pad at least in the bending region of the sections. *Oliver* discloses a self-adhereing underarm absorbent pad having continuous layers (backing sheet 3, 3a, 3b) in the bending region 6. See FIGS. 4, 5, 6, 7 and 8 of *Oliver*. In FIG. 8, the layer 3B is merely reduced in size in the bending region 6 so that corners 10 form. Layer 3B is uninterrupted, and there is no disclosure or suggestion of a self-adhesive sheet bonded to two mutually bendable sections of an absorbent pad wherein the self-adhesive sheet is interrupted in at least a bending region of the two

sections of the pad.

Vandekerck shows a continuous layer (backing member 11 and 19, respectively) in the bending region 14. A layer of adhesive 15, 18 is applied to these layers 11, 19. See FIGS. 3 and 7 of Vandekerck. There is no disclosure or suggestion of interrupting the layers 11 and 19 in the bending region 14. Although the Examiner has taken the position that the adhesive layer 18 is interrupted in Vandekerck, it is respectfully submitted that whether or not the adhesive substance of Vandekerck is interrupted is not germane. Rather, the deciding factor is whether or not the adhering layer 11 or 19 is interrupted in the bending region 14 of Vandekerck which as stated above is nowhere disclosed or suggested.

Vandekerck and Oliver therefore fail to disclose or suggest interruption of the adhering layers ("backing members" 11 and 19, respectively, or "backing sheet" 3, 3a, 3b, respectively) in the bending region (14 or 16, respectively). Therefore, neither Vandekerck nor Oliver can teach preventing tensions in the skin which is achieved with Applicants' perspiration pad as recited in claim 1 as amended.

The defects and deficiencies of the primary references to *Oliver* and *Vandekerck* are nowhere remedied by the secondary references to *Bradley* and *Morris*. *Bradley* relates to a disposable dress-shield which does not have an adhesive layer but rather is attached to the clothing. See column 2, lines 4-6 where it is stated that "the dress shield, shown generally at 11, is secured to an underarm portion of a dress by pinning or other conventional fastening means." Not only does *Bradley* fail to disclose or suggest Applicants' perspiration pad as recited in claim 1 as amended, *Bradley* is entirely unconcerned with the problems of avoiding tensions in the skin to which Applicants' perspiration pad is directed.

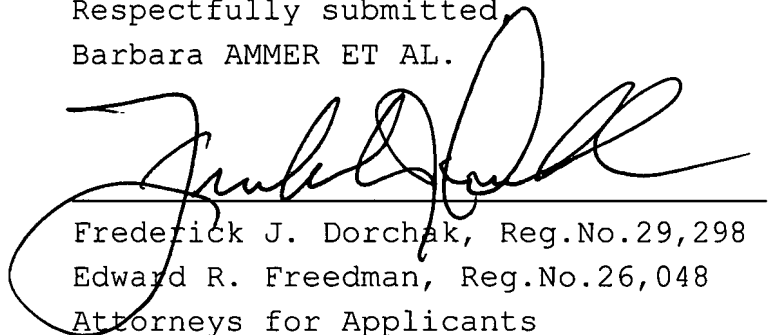
*Morris*, like *Vandekerck* and *Oliver*, has an adhesive layer 12 and 14 or 21, respectively, which is continuous in the bending region 15 or 22, respectively. There is no disclosure or suggestion in *Morris* of interrupting the layer (12 and 14, or 21, respectively) in the bending region (15 or 22, respectively) in order to thereby improve the wearing comfort of perspiration inserts.

Accordingly, it is respectfully submitted that claim 1 as amended, together with claims 2-6 which depend directly or indirectly thereon, are patentable over the cited references.

In summary, claims 1-6 have been amended, along with the specification. In view of the foregoing, it is respectfully requested that the claims be allowed and that this application be passed to issue.

Applicants also submit herewith a Supplemental Information Disclosure Statement.

Respectfully submitted,  
Barbara AMMER ET AL.

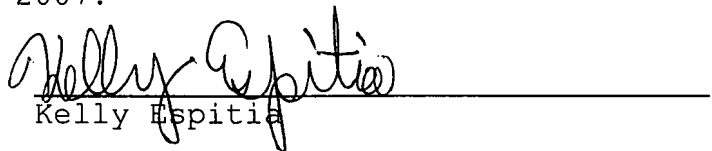


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